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Attorneys for Defendant and
 Counterclaimant SKYRYSE, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC., ROBERT
 ALIN PILKINGTON, MISOOK
 KIM, and DOES NOS. 1-50,

Defendants.

Case No. 2:22-cv-09094-GW-MAR

Hon. George H. Wu
 Courtroom 9D

**JOINT STIPULATION TO
 CONTINUE HEARING ON
 PLAINTIFF AND
 COUNTERDEFENDANT MOOG
 INC.'S MOTION TO ENFORCE
 COMPLIANCE WITH MARCH 11,
 2022 TRO AND FOR SANCTIONS
 (DKT. 400)**

Complaint Filed: March 7, 2022
 Counterclaims Filed: January 30, 2023

1 IT IS HEREBY STIPULATED by and between Plaintiff and Counter-
2 Defendant Moog Inc. (“Moog”) and Defendant and Counterclaimant Skyryse, Inc.
3 (“Skyryse”) (collectively, the “Parties”) through their respective attorneys of record,
4 as follows:

5 WHEREAS, on March 16, 2023, Moog filed against Skyryse a Motion to
6 Enforce Compliance with the March 11, 2022 Stipulated TRO (Dkt. 25) and for
7 Monetary and Adverse Inference Sanctions for Contempt and Spoliation (the
8 “Motion to Enforce”), with the hearing originally noticed for April 13, 2023 (Dkts.
9 399, 400);

10 WHEREAS, on March 21, 2023, Skyryse filed an *Ex Parte* Application to
11 continue the hearing date on Moog’s Motion to Enforce from April 13, 2023 to May
12 15, 2023 (Dkt. 416), which was granted by the Court on March 23, 2023 (Dkt. 420);

13 WHEREAS, on April 14, 2023, the Parties filed a joint stipulation to continue
14 the hearing date on Moog’s Motion to Enforce from May 15, 2023 to May 22, 2023
15 (making Moog’s reply brief due on May 8, 2023) (Dkt. 437);

16 WHEREAS, on April 24, 2023, Skyryse filed an Opposition to Moog’s
17 Motion to Enforce (Dkt. 453);

18 WHEREAS, on April 25, 2023, Moog served a notice of deposition and
19 subpoena to Michael R. Bandemer, a Skyryse-retained expert who provided a
20 declaration in support of Skyryse’s Opposition to Moog’s Motion to Enforce (Dkt.
21 454-5);

22 WHEREAS, Moog noticed Mr. Bandemer’s deposition for May 3, 2023;

23 WHEREAS, on April 26, 2023, Skyryse’s counsel learned that Mr. Bandemer
24 was dealing with an urgent family health emergency and was unable to proceed with
25 the deposition as noticed on May 3, 2023;

26 WHEREAS, on April 27, 2023, Skyryse’s counsel communicated Mr.
27 Bandemer’s unavailability to Moog’s counsel;
28

1 WHEREAS, the Parties conferred and on May 3, 2023, filed a joint stipulation
2 to continue the hearing date on Moog's Motion to Enforce from May 22, 2023 to
3 June 8, 2023 (continuing the deadline for Moog's reply brief from May 8, 2023 to
4 May 25, 2023), to allow the Parties time to attempt to reschedule Mr. Bandemer's
5 deposition, and to allow the Court at least 14 days to review all filings in connection
6 with the Motion to Enforce in advance of any hearing, pursuant to Civil Local Rule
7 7-11 (Dkt. 467);

8 WHEREAS, Mr. Bandemer's deposition was rescheduled to May 22, 2023;

9 WHEREAS, on May 21, 2023, Skyrise's counsel informed Moog's counsel
10 that Mr. Bandemer again was dealing with an urgent family health emergency and
11 was unable to proceed with the deposition as rescheduled on May 22, 2023;

12 WHEREAS, the Parties have conferred and Mr. Bandemer's deposition has
13 now been rescheduled for May 26, 2023;

14 WHEREAS, the Parties have conferred and agree to continue the hearing date
15 on Moog's Motion to Enforce, from June 8, 2023 to June 15, 2023, to allow Moog
16 sufficient time to depose Mr. Bandemer and incorporate his testimony in Moog's
17 reply brief;

18 WHEREAS, the Parties agree that, pursuant to Civil Local Rule 7-11, the
19 deadline to file Moog's reply brief in support of the Motion to Enforce would be
20 continued from May 25, 2023 to June 1, 2023;

21 NOW THEREFORE, subject to the Court's approval, the Parties stipulate
22 and agree as follows:

- 23 1. The hearing date on Moog's Motion to Enforce is continued from
24 June 8, 2023 to June 15, 2023;
- 25 2. The deadline for Moog to file its reply brief in support of its Motion to
26 Enforce is continued from May 25, 2023 to June 1, 2023.
- 27
28

1 **IT IS SO STIPULATED.**

2
3 Dated: May 23, 2023

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5 SHEPPARD, MULLIN, RICHTER &
6 HAMPTON LLP

7 By: /s/ Kazim A. Naqvi
8 Kazim A. Naqvi
9 Counsel for Plaintiff and Counterdefendant
10 Moog Inc.

11 LATHAM & WATKINS LLP

12 By: /s/ Gabriel S. Gross
13 Gabriel S. Gross
14 Counsel for Defendant and Counterclaimant
15 Skyrise, Inc.

16 **ATTESTATION**

17 Pursuant to Civil Local Rule 5-4.3.4, I, Kazim A. Naqvi, attest that
18 concurrence in the filing of this document has been obtained by all its signatories.
19

20
21 Dated: May 23, 2023

22 /s/ Kazim A. Naqvi
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